



Entered on Docket  
November 03, 2010

Hon. Bruce A. Markell  
United States Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEVADA

In re:

LAS VEGAS MONORAIL COMPANY,

Debtor.

Case No.: BK-S-10-10464-BAM  
Chapter 11

Date: October 12, 2010  
Time: 11:00 a.m.

**ORDER APPROVING DEBTOR'S SECOND MOTION FOR AN ORDER EXTENDING  
THE EXCLUSIVE PERIODS TO FILE ITS PLAN OF REORGANIZATION  
AND SECURE ACCEPTANCE OF ITS PLAN OF REORGANIZATION  
PURSUANT TO 11 U.S.C. § 1121(d)**

The *Debtor's Second Motion for an Order Extending the Exclusive Periods to File its Plan of Reorganization and Secure Acceptance of its Plan of Reorganization Pursuant To 11 U.S.C. § 1121(d)* (the "Motion") [ECF No. 582] filed by Gordon Silver on behalf of Debtor, Las Vegas Monorail Company, was heard and considered by the above-captioned Court on October 12, 2010 at 11:00 a.m. All appearances are noted in the Court's record of the proceedings. The

1 Court read the Motion and the documents and other papers submitted in support thereof [ECF  
 2 Nos. 583, 596 - 597]. The Court also read and considered the *Response to Debtor's Second*  
 3 *Motion for an Order Extending the Exclusive Periods to File its Plan of Reorganization and*  
 4 *Secure Acceptance of its Plan of Reorganization Pursuant To 11 U.S.C. § 1121(D )*[ECF No.  
 5 588]. The Court entertained the argument of counsel. The Court stated its findings of fact and  
 6 conclusions of law on the record at the hearing, which are incorporated herein by reference in  
 7 accordance with Fed. R. Civ. P. 52(a), made applicable pursuant to Fed. R. Bankr. P. 9014(c)  
 8 and 7052. Good cause appearing therefore,

9 **IT IS HEREBY ORDERED, ADJUDGED AND DEGREEED AS FOLLOWS:**

- 10 1. Pursuant to 11 U.S.C. §§ 1121(d), the Motion is granted on the terms set forth  
     herein.
- 11 2. The period in which Debtor has the exclusive right to file its plan of  
     reorganization for an additional time period of up to and including **October 18,**  
     14 **2010;** and
- 15 3. The 180-day period for securing acceptance of the plan is extended by an  
     16 additional time period of up to and including **February 1, 2011.**
- 17 4. The Motion, this Order and the consent to the relief granted herein by counsel for  
     18 the Majority of the 1st Tier Bondholders ("1st Tier Bondholders") will have no  
     19 effect on the legal standards (including the burden of proof) governing the  
     20 pending motion by the 1st Tier Bondholders and their indenture trustee's *Motion*  
     21 *Of The Indenture Trustee and Majority Tier Bondholders for an Order*  
     22 *Terminating Exclusivity* [ECF No. 554].

25 **[Signatures on following page]**

1 PREPARED AND SUBMITTED:  
2 GORDON SILVER

APPROVED/DISAPPROVED:  
LEWIS & ROCA LLP

3  
4 By:   
5 WILLIAM M. NOALL, ESQ.  
6 3960 Howard Hughes Pkwy., 9th Floor  
7 Las Vegas, Nevada 89169  
8 Attorneys for Debtor

By: No Response  
SUSAN FREEMAN, ESQ.  
40 North Central Avenue  
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Attorneys for Wells Fargo Bank, N.A., as 1st  
Tier Trustee

9  
10 APPROVED/DISAPPROVED:  
11 KRAMER LEVIN NAFTALIS & FRANKEL

12 By: /s/ Jennifer Sharret  
13 JENNIFER SHARRET, ESQ.  
14 1177 Avenue of the Americas  
15 New York, New York 10036  
16 Attorneys for Majority 1st Tier Bondholders

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25 [Signatures to: *Order Approving Debtor's Second Motion for an Order Extending the*  
26 *Exclusive Periods to File its Plan of Reorganization and Secure Acceptance of its Plan of*  
27 *Reorganization Pursuant To 11 U.S.C. § 1121(d)*]  
28

## LR 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies as follows:

- The Court waived the requirement of approval under LR 9021 except for the attorneys listed below:

Jennifer Sharret (KRAMER LEVIN NAFTALIS & FRANKEL)  
Susan Freeman (LEWIS & ROCA)

This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond as indicated above.

This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated above.

I have certified that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

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